

REMARKS

1. In the Office Action dated 3/7/2007, the Examiner rejected claims 1-63 under 35 USC § 102 (e) as being anticipated by Rakib et al. (U.S. Publication no. 2004/0172658). Claims 1-63 are pending in the application. Claims 1-2, 16, 28, 37, and 52 have been amended as indicated above. Reconsideration of the Claims is respectfully requested.

2. As discussed above, claim 1 was rejected as anticipated by Rakib. The applicant respectfully disagrees with the present rejection because at least one claim element is not met by this reference. Claim 1 includes the following:

receiving, from a multimedia source, a set of selected channels, the set of selected channels including a plurality of digital channels from a single source;

contemporaneously tuning each of the set of selected channels via a plurality of digital tuners to generate encoded channel data for each of the plurality of digital channels;

interpreting the encoded channel data to identify a channel of interest of the set of selected channels based on a specific channel selection request, wherein each channel of the set of selected channels has a data type;

processing the encoded channel data, which includes data of the channel of interest based on the data type to produce generic data for each channel of the set of selected channels;

combining, by a channel mixer, the generic data of each channel of the set of selected channels into a stream of data;

From these elements we know that:

- a set of selected channels include a plurality of digital channels from a single source;
- The set of selected channels from the single source are contemporaneously tuned via a plurality of digital tuners to generate encoded channel data for each of the plurality of digital channels from the single source;
- the set of channels are interpreted to identify a channel of interest;
- the encoded channel data is processed based on the data type to produce generic data for each channel of the set of channels; and
- the generic data of each channel of the set of is combined.

Rakib does not contemporaneously tune a plurality of channels from a single source to generate encoded channel data for each channel..

Rakib's gateway processes content from different video sources such as analog cable, digital cable and satellite. However, Rakib can only process a single channel from each source. Referring to FIG. 4a, Rakib presents three different video tuners: tuner 180 for digital video from the satellite; tuner 100 for analog video and tuner 102 for digital video. Rakib has only two digital video tuners each for receiving a single channel, from different sources. Both of these tuners tune to a particular channel and reject or tune out all other channels (See paragraphs [0133] & [0179]).

The satellite feed 56 includes only a single tuner, digital video tuner 180. Only one digital satellite channel can be tuned at a time. HFC feed 10 includes only a single tuner, digital video tuner 102. Only one digital HFC channel can be tuned at a time. While Rakib's digital video tuners 180 and 102 could, theoretically, operate contemporaneously, these two digital video tuners operate based on different sources, and cannot contemporaneously tune a plurality of channels from a single source.

In particular, Rakib's gateway cannot, as set forth in amended claim 1, contemporaneously tune each of the set of selected channels via a plurality of digital tuners to generate encoded channel data for each of the plurality of digital channels, since each of the set of selected channels is from a single source. Rakib's gateway can only receive one channel at a time from each source, because the gateway has only a single tuner for each video format. For this reason, claim 1 and claims 2-15 that depend therefrom are patentably distinct from the prior art.

4. As discussed above, claims 16, 28, 37 and 52 were also rejected as anticipated by Rakib. The applicant respectfully disagrees with the present rejection because at least one claim element is not met by this reference. Claims 16, 28, 37 and 52 have been amended in a similar fashion to claim 1. For similar reasons as set forth in the discussion

of claim 1, claims 16, 28, 37 and 52 and claims 17-27, 29-36, 38-51 and 53-62 that depend therefrom, are patentably distinct from the prior art.

Conclusions

Claims 1-63 are believed to be in a condition for allowance and applicant respectfully requests that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present invention.

No additional fees are believed to be due. The Commissioner is authorized to charge any fees that are required or credit any overpayment to Deposit Account No. 50-2126 (VIXS005).

RESPECTFULLY SUBMITTED,

By: /Bruce E. Stuckman reg. 36,693/
Bruce E. Stuckman
Phone: (512) 241-8444
Fax No. (512) 241-8445